

Ipswich Conservation Commission Mandatory Pre-Filing Checklist for an NOI, ANOI and ANRAD

Filings must be complete, in compliance with the following checklist, or your project filing will not be accepted. Every blank below must be either initialed, indicating compliance, or designated as "N/A," if not applicable. *Ipswich Wetlands Protection Bylaw and Regulations and Ipswich Stormwater Bylaw and Regulations are available at the Town Clerk's Office or online at <http://www.town.ipswich.ma.us>*

GENERAL REQUIREMENTS

BK Applicable sections of all forms are completed. We understand that incomplete or deficient information may cause delays in the hearing.

BK All forms are dated and contain contact names, addresses and telephone numbers, in addition to the proper project address. For the applicant, we understand that this must include having a **valid telephone number** for the legal advertisement bill. All information must be legible.

BK We understand that this filing requires the issuance of a Department of Environmental Protection (DEP) file number before any decision may be finalized by the Commission. Failure to file the project materials with DEP will result in no number issuing, which will cause delays.

BK If this matter is not decided for any reason in the first session it is heard, and if any new information is required, or revisions to project plans required, the deadline for submission of any and all subsequent materials in this matter is 2:00pm on the Wednesday before the meeting date to which this matter was continued. All supplemental materials must comply with the Required Number of Copies section below, including one additional complete set of same submitted to DEP-Northeast Regional Office (NERO) on or before that date of submittal to the Commission.

MANDATORY SETBACKS

N/A If proposing **any activity in the No-Disturbance Zone**, we have submitted a separate written request for a variance of sufficient scope and content to establish a hardship. We have also submitted a proposed mitigation plan. The proposed impact and the mitigation areas are both shown on the plan. The mitigation area ratio is a *minimum* of 1.5 (new) to 1.0 for areas disturbed, if approved.

N/A If proposing **any structural activity (any impervious surface, gravel, rip-rap, paving, etc. is considered a structure) in the No-Build Zone**, we have submitted a separate written request for variance of sufficient scope to establish a hardship in full compliance with the requirements of the Bylaw. We have also submitted a proposed mitigation plan. The proposed impact and the mitigation areas are both shown on the plan. The mitigation area ratio is a *minimum* of 1.5 (new) to 1.0 for areas disturbed, if approved.

STORMWATER MANAGEMENT:

N/A If the project is subject to Massachusetts Stormwater Management requirements, a "Checklist for Stormwater Report", stamped by a professional engineer, has been submitted with this filing.

N/A If this project proposes land disturbances greater than 10,000 sq.ft. or 50% of the lot, whichever is less, the project is subject to Section V.E of the Ipswich Wetland Protection Bylaw regulations, which requires compliance with state Stormwater Management requirements. "Land Disturbance" includes soil removal, grading and filling, deforestation and clearance of other existing vegetation.

Ipswich Conservation Commission Mandatory Pre-Filing Checklist for an NOI, ANOI and ANRAD

REQUIRED PLANS:

BK We have included a Locus map showing the location of the project site, with the site circled or otherwise identified.

N/A We have included engineered plans are included which show all proposed work, two-foot contours, all resources delineated, all applicable State and Bylaw buffer zones shown, and restrictive Bylaw subzones for No Disturb and No Build Zones. *Per 310 CMR 10.05(4)(h), "The issuing authority (ICC) may require that supporting plans and calculations be prepared and stamped by a registered professional engineer (PE) when, in its judgment, the complexity of the proposed work warrants this professional certification. The issuing authority may also require the preparation of supporting materials by other professionals including, but not limited to, registered landscape architect, registered land surveyor, environmental scientist, geologist or hydrologist when in its judgment the complexity of the proposed work warrants the relevant specialized expertise."*

BK If there is no large or deep excavation, and no mitigation requirement, we have included a sketch showing proposed work, and distances to wetland area(s), and requested a waiver of the requirements for engineered plans.

ABUTTER NOTIFICATION:

BK We have created an list of **all abutters for all properties within 100 feet** in any direction of the project property lines (including across paper or real streets, easements, adjoining waterbodies, etc.) and had that list certified by the Ipswich Assessor's Office.

BK We have notified all the abutters by certified mail on or before the date of filing this project with the Commission. **Proof of this notification must be submitted at the first public hearing.** Failure to notify abutters in advance will constitute valid cause for the Commission to continue this matter to a future session.

BK In lieu of the above, this project proposes work solely within Land under Water Bodies or Waterways, or solely within a Lot with an area greater than 50 acres, and the applicant has provided notification to Abutters whose Lot is within one hundred feet from the Project Site; OR

N/A the project is a Linear-shaped project greater than 1,000 feet in length, and notification is provided to Abutters whose Lot is within 1,000 feet from the Project Site.

FEES AND OTHER COSTS:

N/A All fees required under **both state and local law** are enclosed. **If a delineation of resources is part of the project for an NOI or ANOI, we have included payment under the local law for review of the resource boundaries.** Fees are not refundable, including for voluntary project withdrawal. Miscalculation of fees or failure to pay fees will result in the filing being deemed incomplete.

BK We understand that this filing requires published public advertisement/legal notices which the Commission will prepare and submit to the newspaper, but which are billed directly to the applicant based upon their telephone number and that **we agree to pay that fee.** Failure or refusal to pay that fee will constitute an incomplete filing and the matter will not advance until the fees are paid in full.

**Ipswich Conservation Commission
Mandatory Pre-Filing Checklist for an NOI, ANOI and ANRAD**

AUTHORIZATION:

BK If this document is not filled out by the applicant, then any consultant or contractor or other representative so completing and submitting it hereby state(s) that they have full and complete knowledge and authority to make all the representations herein, that they agree to immediately notify the applicant of all aspects of this matter not decided by the applicant, and that the applicant has so authorized them to make those decisions on the applicant's behalf.

MEETING DATE

BK We understand that this matter, if submitted in complete form, will normally be agendaed for the first meeting following our submittal of materials. The applicant or their duly-authorized representative **agrees to appear at the meeting in person.**

BK If, due to early deadlines related to the required legal advertisement, the matter cannot be heard within the required 21-day period, we agree to sign a waiver of the 21-day requirement for a hearing, and be present at the next regularly-scheduled public hearing.

REQUIRED NUMBER OF COPIES:

BK We have signed and dated the original of this form, and submitted to the Conservation Office an **original plus one copy of all documents AND eight (8) copies** of all documents sized larger than 8½" by 11" at actual scale (i.e., an inch on the plan scale is an inch in fact).

BK In addition, we have submitted via email to Gails@ipswich-ma.gov and Aliciag@ipswich-ma.gov an **electronic set of all documents and plans**, as required by the Ipswich Wetland Protection Bylaw. NOTE: A DVD may be submitted to the Conservation Office to meet this requirement. If you require assistance with creating an electronic copy, contact the Conservation Office.

N/A We have sent a copy of the **state Fee Form** and **state's portion of the state fee** to **Department of Environmental Protection at P.O. Box 4062, Boston, MA 02211.**

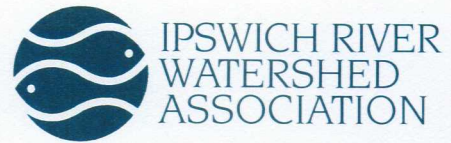
BK We have submitted **one full set of all documents and plans except this checklist** to the **DEP-Northeast Regional Office (NERO) at 205B Lowell Street, Wilmington, MA 01887** on or before this submission to the Commission.

We have reviewed and completed this form on 1 day of June, 2016

We are the (circle all that apply): applicant // site owner // consultant

Sign here: Brian Kelder

Print here: Brian Kelder



June 1, 2016

Ipswich Conservation Commission
Town Hall
25 Green Street
Ipswich, MA 01938

Dear Commissioners,

I am writing as a representative of the Town of Ipswich for work associated with the ongoing Ipswich Mills Dam Feasibility Study. Please find enclosed a Notice of Intent for two exploratory test pits in the Ipswich River and a temporary partial lowering of the water level in the Ipswich Mills impoundment to conduct a maintenance test of the gate and to facilitate the test pit work.

As required in your rules and regulations, we respectfully request that the Commission consider granting two waivers. First, we request a waiver from your engineered plan submittal requirements because the exploratory work is temporary in nature, will be conducted by hand and will result in no permanent impacts to resource areas. We also request a waiver to the requirement to submit resource area delineation due to the nature of the work. The information gained in this study will be extremely valuable in the design and engineering phase if the Town decides to remove the dam in the future.

I hope that the Notice of Intent meets with your requirements and I look forward to appearing before you at a public hearing to review the proposed project. Please let me know if you have any questions or require additional information.

Sincerely,

A handwritten signature in dark ink, appearing to read "Brian Kelder". The signature is fluid and cursive, with a large initial "B" and a stylized "K".

Brian Kelder

Restoration Program Manager

cc. DEP-Northeast Regional Office (NERO), 205B Lowell Street, Wilmington, MA 01887



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Ipswich
City/Town

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

65 South Main Street

a. Street Address

Ipswich

b. City/Town

01938

c. Zip Code

Latitude and Longitude:

42 deg. 40'39.68" N

d. Latitude

70 deg. 50'16.27"W

e. Longitude

42A

f. Assessors Map/Plat Number

186A

g. Parcel /Lot Number

2. Applicant:

Ethan

a. First Name

Parsons

b. Last Name

Town of Ipswich

c. Organization

25 Green Street

d. Street Address

Ipswich

e. City/Town

MA

f. State

01938

g. Zip Code

978 356 66087

h. Phone Number

i. Fax Number

ethanp@ipswich-ma.gov

j. Email Address

3. Property owner (required if different from applicant): ☐ Check if more than one owner

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Brian

a. First Name

Kelder

b. Last Name

Ipswich River Watershed Association

c. Company

143 County Road

d. Street Address

Ipswich

e. City/Town

MA

f. State

01938

g. Zip Code

978-412-8200

h. Phone Number

978-412-9100

i. Fax Number

bkelder@ipswichriver.org

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

0

a. Total Fee Paid

0

b. State Fee Paid

0

c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Ipswich

City/Town

A. General Information (continued)

6. General Project Description:

Excavation of 2 temporary test pits by hand in land under river and maintenance test of dam gate which will result in temporary partial lowering of impoundment.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- | | |
|---|---|
| 1. <input type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input checked="" type="checkbox"/> Other | |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☐ Yes ☒ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

essex

a. County

6999

c. Book

b. Certificate # (if registered land)

772

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

1. ☐ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
2. ☒ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Ipswich

City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input checked="" type="checkbox"/> Land Under Waterbodies and Waterways	80 1. square feet	80 2. square feet
	3. cubic yards dredged	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - specify coastal or inland	

2. Width of Riverfront Area (check one):

☐ 25 ft. - Designated Densely Developed Areas only

☐ 100 ft. - New agricultural projects only

☐ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes ☐ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☐ Yes ☐ No

3. ☐ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Ipswich

City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet 2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	1. square feet	2. cubic yards dune nourishment

	Size of Proposed Alteration	Proposed Replacement (if any)
f. <input type="checkbox"/> Coastal Banks	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet	
h. <input type="checkbox"/> Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet 2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above 1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet	

4. ☐ Restoration/Enhancement

If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

a. square feet of BWV

b. square feet of Salt Marsh

5. ☐ Project Involves Stream Crossings

a. number of new stream crossings

b. number of replacement stream crossings



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Ipswich

City/Town

C. Other Applicable Standards and Requirements

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Notice of Intent – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

a. ☐ Yes ☒ No

If yes, include proof of mailing or hand delivery of NOI to:

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

2016

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); OR complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

2. ☐ Assessor's Map or right-of-way plan of site

2. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

(a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) ☐ Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Ipswich

City/Town

C. Other Applicable Standards and Requirements (cont'd)

- (c) ☐ MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhESP/regulatory_review/ mesa/ mesa_fee_schedule.htm). Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

- (d) ☐ Vegetation cover type map of site
- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following
1. ☐ Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhESP/regulatory_review/ mesa/ mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
2. ☐ Separate MESA review ongoing. a. NHESP Tracking # _____ b. Date submitted to NHESP _____
3. ☐ Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.
3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
- a. ☒ Not applicable – project is in inland resource area only b. ☐ Yes ☐ No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694
Email: DMF.EnvReview-South@state.ma.us

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF.EnvReview-North@state.ma.us

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Ipswich

City/Town

C. Other Applicable Standards and Requirements (cont'd)

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
- a. ☐ Yes ☒ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
- a. ☐ Yes ☒ No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
- a. ☐ Yes ☒ No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
- a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. ☐ A portion of the site constitutes redevelopment
 3. ☐ Proprietary BMPs are included in the Stormwater Management System.
- b. ☒ No. Check why the project is exempt:
1. ☐ Single-family house
 2. ☐ Emergency road repair
 3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☒ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☒ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Ipswich

City/Town

D. Additional Information (cont'd)

3. ☒ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☒ List the titles and dates for all plans and other materials submitted with this NOI.

Ipswich Mills Dam Feasibility Study

a. Plan Title

Brian Kelder

Brian Kelder

b. Prepared By

c. Signed and Stamped by

6-1-16

1 inch = 188 feet

d. Final Revision Date

e. Scale

USGS Locus Map - From USGS 2015 Ipswich Quad

6/1/2016

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☐ Attach NOI Wetland Fee Transmittal Form
9. ☐ Attach Stormwater Report, if needed.

E. Fees

1. ☒ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

2. Municipal Check Number

3. Check date

4. State Check Number

5. Check date

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Ipswich

City/Town

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

Ethan Pearson

1. Signature of Applicant

6-1-16

2. Date

3. Signature of Property Owner (if different)

Brian Kelly

4. Date

6-1-16

5. Signature of Representative (if any)

6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Applicant Information

1. Location of Project:

a. Street Address

b. City/Town

c. Check number

d. Fee amount

2. Applicant Mailing Address:

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

3. Property Owner (if different):

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee: _____ a. Total Fee from Step 5

State share of filing Fee: _____ b. 1/2 Total Fee **less** \$12.50

City/Town share of filling Fee: _____ c. 1/2 Total Fee **plus** \$12.50

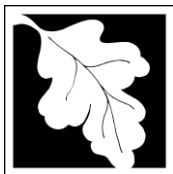
C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
Box 4062
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Ipswich

City/Town

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

65 South Main Street

a. Street Address

Ipswich

b. City/Town

01938

c. Zip Code

Latitude and Longitude:

42 deg. 40'39.68" N

d. Latitude

70 deg. 50'16.27"W

e. Longitude

42A

f. Assessors Map/Plat Number

186A

g. Parcel /Lot Number

2. Applicant:

Ethan

a. First Name

Parsons

b. Last Name

Town of Ipswich

c. Organization

25 Green Street

d. Street Address

Ipswich

e. City/Town

MA

f. State

01938

g. Zip Code

978 356 6607

h. Phone Number

i. Fax Number

ethanp@ipswich-ma.gov

j. Email Address

3. Property owner (required if different from applicant): ☐ Check if more than one owner

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Brian

a. First Name

Kelder

b. Last Name

Ipswich River Watershed Association

c. Company

143 County Road

d. Street Address

Ipswich

e. City/Town

MA

f. State

01938

g. Zip Code

978-412-8200

h. Phone Number

978-412-9100

i. Fax Number

bkelder@ipswichriver.org

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

0

a. Total Fee Paid

0

b. State Fee Paid

0

c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Ipswich

City/Town

A. General Information (continued)

6. General Project Description:

Excavation of 2 temporary test pits by hand in land under river and maintenance test of dam gate which will result in temporary partial lowering of impoundment.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- | | |
|---|---|
| 1. <input type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input checked="" type="checkbox"/> Other | |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☐ Yes ☒ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

essex

a. County

6999

c. Book

b. Certificate # (if registered land)

772

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

1. ☐ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
2. ☒ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Ipswich

City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input checked="" type="checkbox"/> Land Under Waterbodies and Waterways	80 1. square feet	80 2. square feet
	3. cubic yards dredged	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - specify coastal or inland	

2. Width of Riverfront Area (check one):

☐ 25 ft. - Designated Densely Developed Areas only

☐ 100 ft. - New agricultural projects only

☐ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

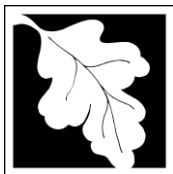
a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes ☐ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☐ Yes ☐ No

3. ☐ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Ipswich

City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet	
	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	1. square feet	2. cubic yards dune nourishment
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet	
h. <input type="checkbox"/> Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet	
	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet	
4. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.	
	a. square feet of BVW	b. square feet of Salt Marsh
5. <input type="checkbox"/> Project Involves Stream Crossings		
	a. number of new stream crossings	b. number of replacement stream crossings



WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Ipswich

City/Town

C. Other Applicable Standards and Requirements

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Notice of Intent – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

- a. ☐ Yes ☒ No **If yes, include proof of mailing or hand delivery of NOI to:**

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

2016

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

2. ☐ Assessor's Map or right-of-way plan of site

2. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

(a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) ☐ Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Ipswich

City/Town

C. Other Applicable Standards and Requirements (cont'd)

- (c) ☐ MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhESP/regulatory_review/menta/menta_fee_schedule.htm).
Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

- (d) ☐ Vegetation cover type map of site
- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following
1. ☐ Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhESP/regulatory_review/menta/menta_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
2. ☐ Separate MESA review ongoing. _____ a. NHESP Tracking # _____ b. Date submitted to NHESP
3. ☐ Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.
3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
- a. ☒ Not applicable – project is in inland resource area only b. ☐ Yes ☐ No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694
Email: DMF.EnvReview-South@state.ma.us

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF.EnvReview-North@state.ma.us

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.



WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Ipswich

City/Town

Online Users:

Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

C. Other Applicable Standards and Requirements (cont'd)

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
- a. ☐ Yes ☒ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
- a. ☐ Yes ☒ No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
- a. ☐ Yes ☒ No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
- a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. ☐ A portion of the site constitutes redevelopment
 3. ☐ Proprietary BMPs are included in the Stormwater Management System.
- b. ☒ No. Check why the project is exempt:
1. ☐ Single-family house
 2. ☐ Emergency road repair
 3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☒ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☒ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Ipswich

City/Town

D. Additional Information (cont'd)

3. ☒ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.
4. ☒ List the titles and dates for all plans and other materials submitted with this NOI.
- Ipswich Mills Dam Feasibility Study
- | | |
|--|--------------------------|
| a. Plan Title | |
| Brian Kelder | Brian Kelder |
| b. Prepared By | c. Signed and Stamped by |
| 6-1-16 | 1 inch = 188 feet |
| d. Final Revision Date | e. Scale |
| USGS Locus Map - From USGS 2015 Ipswich Quad | 6/1/2016 |
| f. Additional Plan or Document Title | g. Date |
5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☐ Attach NOI Wetland Fee Transmittal Form
9. ☐ Attach Stormwater Report, if needed.

E. Fees

1. ☒ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

2. Municipal Check Number

3. Check date

4. State Check Number

5. Check date

6. Payor name on check: First Name

7. Payor name on check: Last Name



WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Ipswich

City/Town

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

1. Signature of Applicant	6-1-16
	2. Date
3. Signature of Property Owner (if different)	4. Date
	6-1-16
5. Signature of Representative (if any)	6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Applicant Information

1. Location of Project:

a. Street Address

b. City/Town

c. Check number

d. Fee amount

2. Applicant Mailing Address:

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

3. Property Owner (if different):

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. ***Please see Instructions before filling out worksheet.***

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee: _____
a. Total Fee from Step 5

State share of filing Fee: _____
b. 1/2 Total Fee **less** \$12.50

City/Town share of filing Fee: _____
c. 1/2 Total Fee **plus** \$12.50

C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
Box 4062
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

Project Description

Excavation of 2 temporary test pits by hand in land under river and maintenance test of dam gate which will result in temporary partial lowering of impoundment.

6/1/2016

Purpose:

The Ipswich Mills Dam is located at head-of-tide on the Ipswich River in the center of Ipswich, Massachusetts, and is the first dam from the ocean (42 deg. 40'39.68" N 70 deg. 50'16.27"W). The current iteration of the Ipswich Mills Dam was built in 1908, but a dam has been present on or near the current site since at least 1637. According to early Town records, the dam was built on the site of a rocky ledge used as a ford by Native Americans and early settlers.

The dam is owned by the Town of Ipswich. The Town has been exploring the possibility of removing the Ipswich Mills Dam for 10 years with assistance from partners including the MA Division of Ecological Restoration (DER) and the Ipswich River Watershed Association (IRWA). In 2006, the MA Division of Ecological Restoration (then Riverways) commissioned a dam removal site reconnaissance. In 2011, the Town and IRWA applied to DER for Priority Project Status for assistance with evaluating the future of the dam. In 2014, a partial feasibility study was completed which recommended a more detailed evaluation of a number of factors to confirm feasibility and estimate costs of removing the dam.

The Town of Ipswich is the project proponent and is conducting this feasibility study with funding and technical support from DER and other partners. The primary purpose of the Ipswich Mills Dam Removal Feasibility Study is for the Town to gain information that it can use to make an informed decision regarding the future of the dam. The information generated by the feasibility study will also be used as a basis for engineering, design, and permitting, should the Town decide to move forward with dam removal.

Of particular significance for the removal of the Ipswich Mills Dam is the potential impact to the EBSCO building foundations that are upgradient of the dam. The EBSCO buildings are potentially supported by timber piles given the presence of peat soils and the expected age of the buildings (approximately 1901-1912). In a dam-out condition, the local groundwater levels may be lowered which may influence biodegradation rate of the existing timber piles. In order to identify the potential effects of removing the Ipswich Mills Dam on the EBSCO building, the project will be conducting exploratory test pits in the river adjacent to the EBSCO buildings to confirm the presence of wood piles supporting the EBSCO foundation and identify the top elevation of the piles if present. The test pit excavation is planned to coincide with a temporary partial lowering of the impoundment water level to maximize exposure of the EBSCO foundation perimeter and to conduct a maintenance test of the gated outlet to confirm its continued functionality.

Methods:

DER is holding the consulting contracts for the feasibility study at the request of the Town and is implementing the project through contract with Horsley Witten (HW) under DER's Master Service Agreement. HW has acquired the services of Simpson, Gumpertz, and Heger, Inc. (SGH) to lead the investigation and evaluation of the EBSCO foundation. SGH will be sub-contracting with Pepperell Cove

Marine (PCM) to conduct the excavation and diving. IRWA is under contract with DER to provide project management support for this investigation and is serving as project manager on behalf of the Town.

Water level management

As noted above, prior to test pit excavation, we will temporarily lower the water level in the impoundment. This will serve to

1. Increase the visibility of the perimeter of the EBSCO facility
2. Increase safety for divers conducting the survey by reducing the depth at which they will be required to work
3. Decrease the chance of downstream mobilization of disturbed sediments by separating the test pits from the active river channel
4. Conduct a test of the outlet gate to determine its condition and functionality.

We will temporarily lower the water level in the impoundment using the existing (3' by 4') gated outlet in the east abutment of the dam. This gate was installed in 1995, is in good condition, and has been partially exercised at least as recently as 2014. The Ipswich Department of Public Works will operate the gate under supervision from IRWA staff who will be charged with monitoring the drawdown rate and making adjustments to the rate of water release through the gate. Since this gate has been exercised as part of normal operation and maintenance of the dam, the bottom of the gate elevation is above the river bed and because it is located downstream of a shallow ledge that retains sediment upstream, there is little potentially mobile sediment in the vicinity of the outlet. In addition, the heavy concrete and boulder dam apron at the downstream face of the gate apron will eliminate any possibility of downstream scour.

We propose to begin lowering the water level on or about August 15, 2016 per request from MA division of Marine Fisheries (DMF) to minimize potential impact on migratory fish species. As river flows allow, water levels will be lowered at a rate not to exceed 1 vertical foot per day over a three-day period. During this lowering, IRWA staff and members of the dam study team will make twice-daily measurements of water surface elevation, adjust the gate as necessary and report daily progress to the Conservation Commission. IRWA will also coordinate and oversee daily monitoring along the impoundment to identify and ameliorate any fish or wildlife strandings. If any such problems are identified, we will immediately notify the Conservation Commission and cease or reduce the rate of water level reduction as necessary.

It is important to note that because of the elevation of the shallow rocky area upstream of the dam, we only expect to be able to lower the water level by a maximum of 2.5-3 feet from normal summer flow conditions in the vicinity of the EBSCO building based on a detailed bathymetric survey conducted in 2014. Further upstream this change in water level will be less pronounced. Because the river bed upstream of the rocky ledge is at a considerably lower elevation than the ledge, the impounded area will remain relatively deep and is expected to provide ample habitat and refuge for aquatic organisms under the temporarily lowered water levels.

Depending on flow rates the water level should drop to its lowest level over a period of 3-4 days. Once work is completed, the gate will be closed most of the way to allow the impoundment to refill while allowing for some flow to pass the dam at all times. Once water levels reach an elevation to allow spillage over the fishway, the gate will be closed completely. The refilling rate will depend heavily on

river discharge, but we expect it to take between 1 and 5 days assuming typical summer flows of between 15 and 40 cfs based on calculations of historic river flows and the volume surface area of the mill pond behind the dam.

The lowering of water level may result in a temporary reduction in the amount of land-under-water and expansion of riparian wetland area as the channel narrows within the river reach extending from the dam upstream to the railroad bridge. Fish and other wildlife will have time to migrate out of shallow areas to take refuge due to the slow drawdown rate. However, given the riverbank and mill pond configuration as determined by the bathymetric study, the amount of land under water exposed should be minor thus minimizing the potential for fish or wildlife strandings.

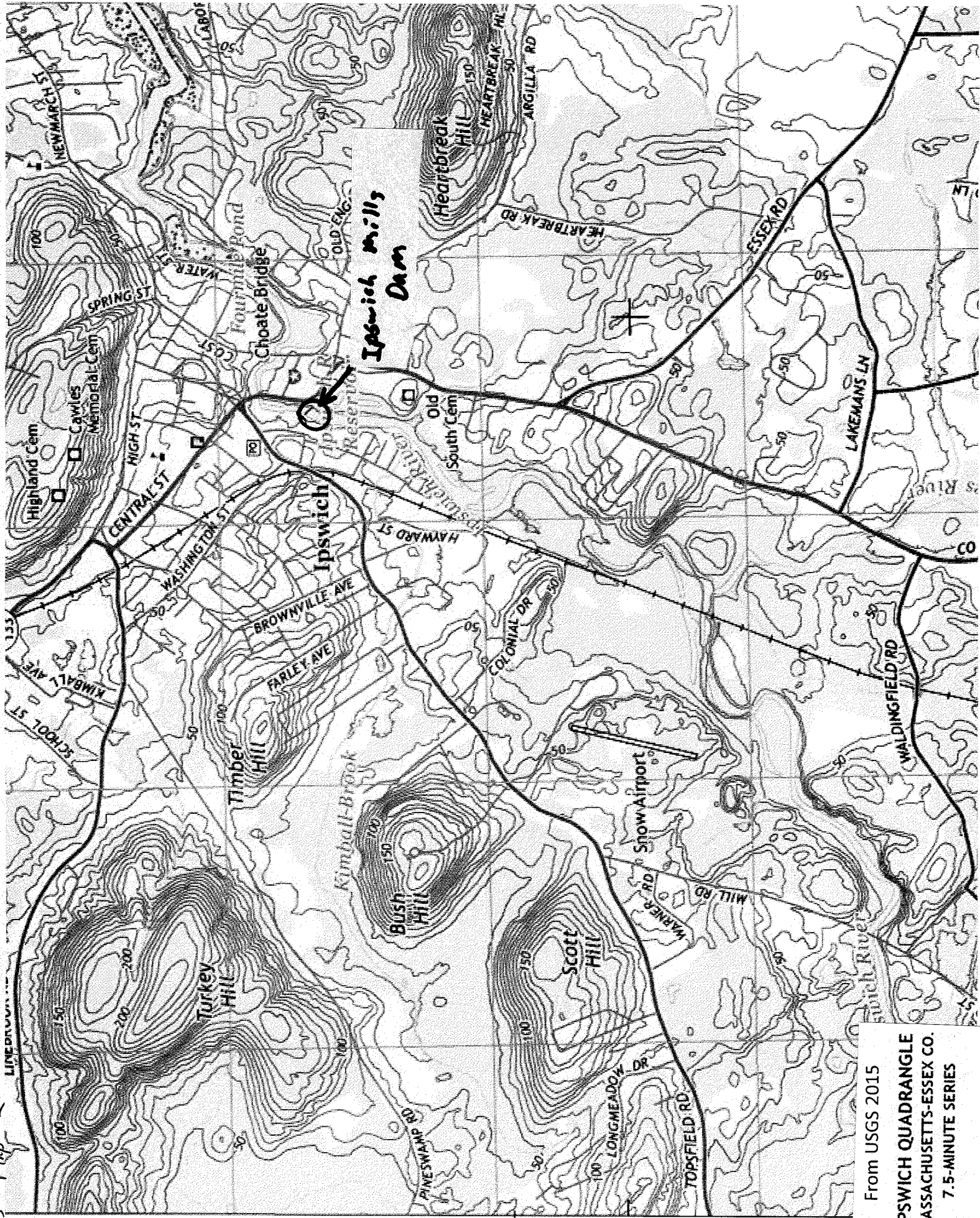
Test Pit Excavation

Test pits will be excavated by hand tools by a marine diving contractor, Pepperell Cove Marine (PCM) of Portsmouth NH, with full-time field oversight provided by SGH. Tests pits will be excavated at two locations within the river at the upstream and downstream ends of the EBSCO building (see figure) on Land under the river owned by the Town of Ipswich. The proposed test pit locations are in the river adjacent to the EBSCO facility in an area of land under water that would have been disturbed during the building of the Mill buildings that now house the EBSCO facility and contains minimal vegetation. The purpose of the test pits is to observe the foundation of the EBSCO building and determine timber pile cutoff elevations, if they exist.

The diver will have a camera mounted to his helmet for SGH to observe the foundations and will excavate as directed by SGH. Excavation will be performed with an air lift, a handheld suction dredging device. The diving contractor will attempt to limit the amount of sediment suspended in the water as this will limit the diver and camera visibility. Sediment will be moved with the airlift immediately adjacent to the pit and pushed back into the excavations after our observations are complete.

The size of the test pits may vary. The excavations will be sloped back from the building to allow safe entry for the diver to observe the foundation. Assuming the test pits are 5 ft deep and a 1:2 (horiz. to vert.) excavation slope, the test pits could be sloped back as much as 8 ft from the building, based on the bathymetric survey performed in 2014. We are hoping to expose 5 lineal ft of foundation along the building at each pit, but this may change depending on site conditions. We anticipate the excavation, observation, and backfilling will last approximately 5 business days. The diving contractor will work with a floating platform and will have a support trailer on shore.

The test pits will result in temporary disturbance impacts to a maximum of 80 square feet of land-under-water in the previously disturbed area adjacent to the EBSCO building. Much of this land-under-water will be temporarily exposed above water line during the project due to the lowering of the pond level thereby minimizing turbidity that would affect downstream resources.



From USGS 2015

IPSWICH QUADRANGLE
MASSACHUSETTS-ESSEX CO.
7.5-MINUTE SERIES



Ipswich Mills Dam Feasibility Study Site Plan

Ipswich, MA



June 1, 2016

1 inch = 188 Feet

www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



100 foot Abutters List Report

Ipswich, MA
June 01, 2016

RECEIVED
JUN 01 2016
ASSESSORS
IPSWICH, MA

Subject Property:

✓ Parcel Number: 42A-186A-0
CAMA Number: 42A-186A-0
Property Address: 65 SOUTH MAIN ST

Mailing Address: TOWN OF IPSWICH
GENERAL MUNICIPAL
TOWN HALL
IPSWICH, MA 01938

Abutters:

✓ Parcel Number: 42A-113-0
CAMA Number: 42A-113-0
Property Address: 36 SOUTH MAIN ST

Mailing Address: TOWN OF IPSWICH
GENERAL MUNICIPAL
25 GREEN ST
IPSWICH, MA 01938

✓ Parcel Number: 42A-114-0
CAMA Number: 42A-114-0
Property Address: 44 SOUTH MAIN ST

Mailing Address: TOWN OF IPSWICH
GENERAL MUNICIPAL
IPSWICH TOWN HALL
IPSWICH, MA 01938

✓ Parcel Number: 42A-167-0
CAMA Number: 42A-167-0
Property Address: 75 SOUTH MAIN ST

Mailing Address: IPSWICH HISTORICAL SOCIETY
53 SOUTH MAIN ST.
IPSWICH, MA 01938

✓ Parcel Number: 42A-168-0
CAMA Number: 42A-168-0
Property Address: 69 SOUTH MAIN ST

Mailing Address: GILBERT RICHARD A + MARILYN K THE
GILBERT FAMILY TRUST
69 SOUTH MAIN STREET
IPSWICH, MA 01938

✓ Parcel Number: 42A-169-0
CAMA Number: 42A-169-0
Property Address: 57 SOUTH MAIN ST

Mailing Address: IPSWICH RIVERBEND LLC
4 SOUTH MAIN STREET
IPSWICH, MA 01938

✓ Parcel Number: 42A-186-0
CAMA Number: 42A-186-0
Property Address: 6 ESTES ST

Mailing Address: EBSCO INDUSTRIES INC JAIME
ELLIOTT, ACCOUNTING
PO BOX 1943
BIRMINGHAM, AL 35201-1943

✓ Parcel Number: 42A-289-0
CAMA Number: 42A-289-0
Property Address: 61 SOUTH MAIN ST

Mailing Address: FILTRANTI ANTHONY M TRS 1BP-3
TRUST MASTER CARD
4 SOUTH MAIN ST
IPSWICH, MA 01938

✓ Parcel Number: 42A-289-0
CAMA Number: 42A-289-001
Property Address: 59 SOUTH MAIN ST

Mailing Address: BURKE ROGER A TE BURKE MARY
MEREDITH
59 SOUTH MAIN ST UNIT 1
IPSWICH, MA 01938

✓ Parcel Number: 42A-289-0
CAMA Number: 42A-289-002
Property Address: 63 SOUTH MAIN ST

Mailing Address: FERGUSON JAMES P TE FERGUSON
ALISON V
63 SOUTH MAIN STREET
IPSWICH, MA 01938

✓ Parcel Number: 42A-289-0
CAMA Number: 42A-289-003
Property Address: 61 SOUTH MAIN ST

Mailing Address: SILVERMAN RICHARD J, TRUSTEE THE
RJS TRUST
1 OLD MANCHESTER RD
ESSEX, MA 01929



www.cai-tech.com

This is not a certified abutters list. For a certified abutters list

6/1/2016

Page 1 of 2

6/1/16

Abutters List Report - Ipswich, MA



100 foot Abutters List Report

Ipswich, MA
June 01, 2016

✓ Parcel Number: 42C-002-0
CAMA Number: 42C-002-0
Property Address: 20 ESTES ST

Mailing Address: B.D.S., INC
20 ESTES ST
IPSWICH, MA 01938

✓ Parcel Number: 42C-003-0
CAMA Number: 42C-003-0
Property Address: 22 ESTES ST

Mailing Address: SUSLAK ROBERT J TRS ESTES REALTY
TRUST
20 ESTES STREET
IPSWICH, MA 01938

✓ Parcel Number: 42C-004-0
CAMA Number: 42C-004-0
Property Address: 24 ESTES ST

Mailing Address: SINAUSKY KEVIN TE SINAUSKY BIANCA
24 ESTES STREET
IPSWICH, MA 01938

✓ Parcel Number: 42C-007-0
CAMA Number: 42C-007-0
Property Address: 6 RIVER CT

Mailing Address: SKLARZ CHRISTOPHER E
1671 GREENWICH ST APT 3
SAN FRANCISCO, CA 94123



www.cai-tech.com

This is not a certified abutters list. For a certified abutters list

6/1/2016

Page 2 of 2



Ipswich Mills Dam Feasibility

Ipswich, MA

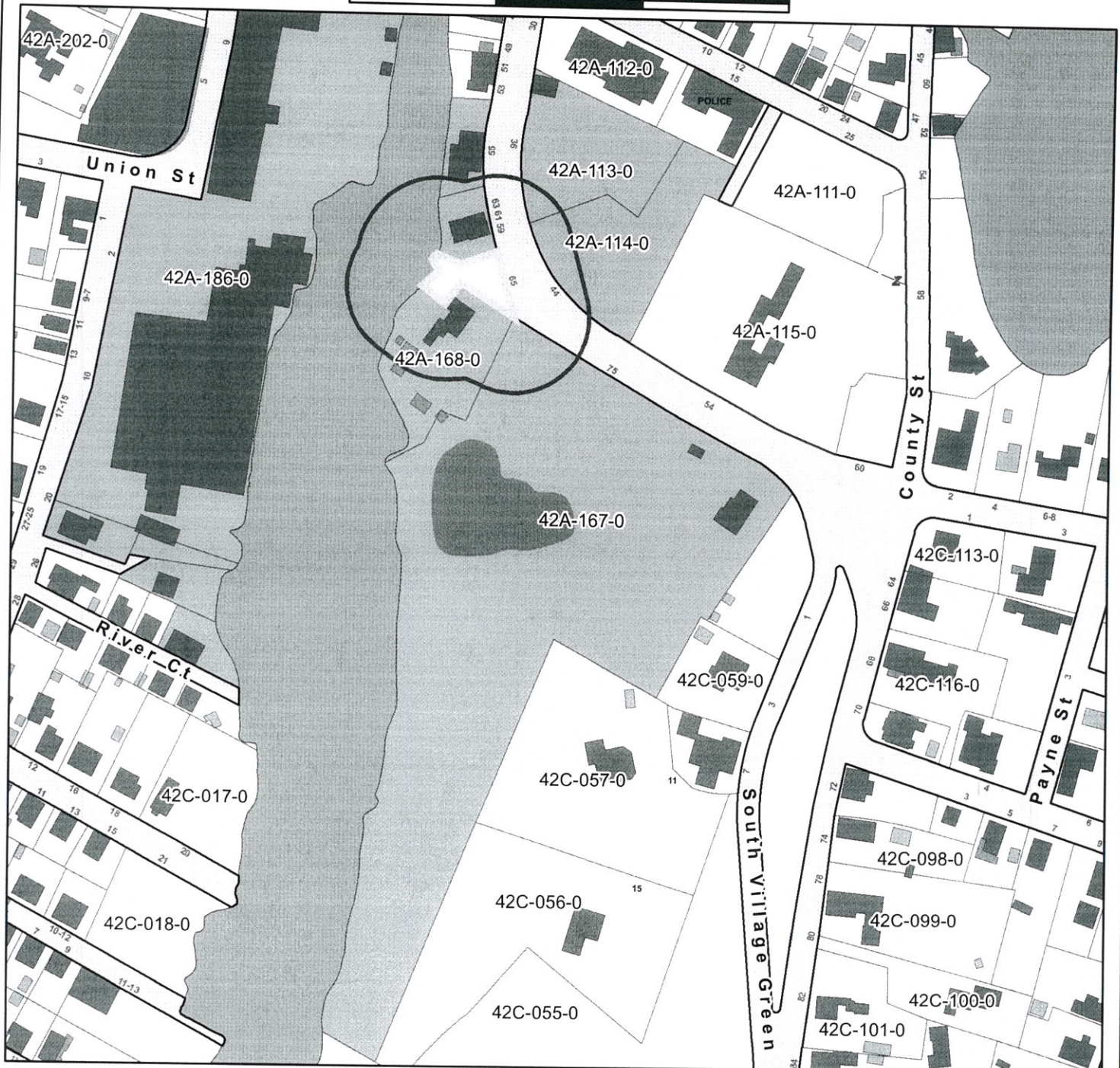


June 1, 2016

1 inch = 188 Feet



www.cai-tech.com



Common	Hooks	Street Names
Fee Parcel	Right of Ways	Building
ROW	Water	Out Building
Water Parcel	Water - Tax Parcels	Porch / Deck

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.